

- Beant*
- (b) a detachable reader unit detachably assembled with said base unit,
(c) said detachable reader unit comprising a non-contact data reader reading data disposed in non-contacting relationship to said reader unit,
(d) wherein the detachable reader unit is mounted in the recess of the base unit. *+*
- ~~15~~ 15. A data processing system comprising a data processing assembly including
(a) a base unit, and
(b) a detachable reader unit detachably assembled with said base unit,
(c) said detachable reader unit comprising a non-contact data reader reading data disposed in non-contacting relationship to said reader unit,
(d) wherein the detachable reader unit has an edge that contains a scanner window for receiving a reflected bar code image. *+*
-

REMARKS

This document is being filed in response to an Office Action mailed in the above-captioned application on 11/27/2001. It is being filed more than six months after the mailing date of the Action and accompanies a Petition to Revive. Claims 3 and 5-10 have been canceled to expedite prosecution, and new claims 11-15 are presented, for a total of eight pending claims including three independent claims being presented for favorable consideration. It is believed, therefore, that this filing has generated no additional fees. If it is determined, however, that fees pursuant to 37 CFR 1.16 or 1.17 have been generated, the Commissioner is hereby authorized to charge **Deposit Account No. 14-1190** in the amount of such fees.

Page 2 and Page 3 of the Office Action state the criteria applied by the Examiner in making rejections under 35 U.S.C. §102, §103 and §112. The next to the last paragraph of the Action, which appears on Page 4, rejects the pending claims on 35 USC 112 as discussed in the

preceding pages. The following remarks address the rejections outlined in the next to the last paragraph of Page 4.

With respect to statements a, b and c under the heading "35 U.S.C. §112 rejections:" at the bottom of Page 2 of the Official Action, Applicants do not feel that the application is unclear, vague, convoluted or incomplete; and respectfully submit that the disclosure is enabling for the present claims, and that the claims are clear and complete and structurally define the claimed invention in compliance with the statute. Support for the claims will be outlined below and can be found in the text and drawings of the parent case, now US Patent 6,149,062 (which issued after a similar rejection), and in the grandparent case, now US Patent 5,834,753. It is urged that the factors supporting issuance of the parent patent also support issuance of the pending claims which relate to similar disclosure.

The claims are supported, for example, by Figures 34 through 41 and the description related thereto. More particularly, Figures 34 through 40 depict an embodiment of the modular data collection system as defined in claims 11, 12 and 13, which replace canceled claims 9-10. The figures depict a smaller unit, for example Figures 34-36, which can be coupled with a larger receiving unit, for example Figure 37. Figure 40 depicts two such units in their coupled mode. The description at pages 85-86 of the specification and Figure 41, are an exemplary basis for claims 1, 2, and 4, and 14-15.

In order to assist the Examiner and to point out by way of example, how the claims set forth structural relationships in the drawings (in response to Page 4 of the Official Action, the next to the last paragraph, the second sentence), the Applicants have identified at least one supporting drawing component for each pending claim or claim element. By identifying a supporting drawing component and in some cases a specification passage or passages, for each claim element, however, the Applicants are not indicating that the identified drawing

components or passages are the only passages and figures supporting the claim or claim element.

The following sections provide examples of support in the drawings for each of the structural relationships in the respective pending claims.

Claim 1 - Fig. 41, (a) a base unit - 1260B, (b) indicia reader module - 1200B.

Incorporated Patent 4,877,949 shows exemplary content of the indicia reader module 1200B - see Page 85 of the present specification, lines 2-9.

Claim 2 - light source - 1313B (Page 85, lines 9-18, and Page 86, line 2 - hand held in operation as in the Incorporated Patent 4,877,949).

Claim 4 - battery - 1282B (Page 85, lines 11-13).

Claim 11 - Fig. 40, (a) interface unit - 1200A, (b) detachable reader unit - 1260A including 1314A (Page 72, lines 2-5), (c) Patent 4,877,949 (incorporated at Page 71, lines 16-20) shows exemplary content of the indicia reader module at 1314A - see also Page 72 of the present specification, lines 8-9.

Claim 12 - 1200A - Page 72, lines 8-9.

Claim 13 - 1314A - Page 71, lines 13-20

Claim 14 - Fig. 41, (a) base unit 1260B with recess 1261B, (b) detachable reader unit 1200B, (c) Incorporated Patent 4,877,949 shows exemplary content of the reader unit 1200B - see Page 85 of the present specification, lines 2-9, (d) 1200B as shown in Fig. 41.

Claim 15 - Fig. 41, (a) base unit 1260B, (b) detachable reader unit 1200B, (c) Incorporated Patent 4,877,949 shows exemplary content of the reader unit 1200B - see Page 85 of the present specification, lines 2-9, (d) edge 1311X - Page 85, lines 7-9, and Page 85, lines 18-19.

With respect to the Official Action, Page 4, the next to the last paragraph, the third sentence, for claims 1, 2 and 4, and 14-15, the base unit 1260B, Fig. 41, may have components as described at Page 85, lines 9-18 and Page 85, line 21 - Page 86, line 1, while the reader module 1200B, Fig. 41, may have components as described at Page 85, lines 7-9, and 18-21. For claims 11-13, the interface unit 1200A, Fig. 40, may have components described at page 72, lines 8-9, while the reader unit 1260A, Fig. 40, may have components as described at page 71, line 13 to page 72, line 5, and page 72, lines 9-11.

With respect to submission of drawings like Fig. 2 of Schwarz 4,806,742, it is respectfully submitted that incorporated Figure 2 of incorporated US Patent 4,877,949 is of similar detail. The purpose of the incorporation by reference practice would seem to be to avoid the need for repeating readily available drawings that have already been published. Claims 1, 2 and 4, and 11-15 do not rely on the specific details shown by incorporated Figure 2.

With respect to Page 4 of the Official Action, the next to the last paragraph, the fifth sentence re "controlling means" and the sixth sentence re "processing means", it is believed that the quoted phrases come from canceled claim 3, and for example are based on the disclosure at page 72, line 5 et seq.

With respect to the last sentence of the next to the last paragraph on Page 4, Applicant is submitting a new cross reference section omitting attorney's docket numbers.

GENERAL AUTHORIZATION UNDER 37 CFR 1.136(a)(3)

The Patent and Trademark Office is hereby authorized to treat this or any future reply, requiring a petition for an extension of time, as incorporating a petition for extension of time for the appropriate length of time.

The Patent and Trademark Office is hereby authorized to charge fees under 37 CFR 1.17 to deposit account 14-1190.

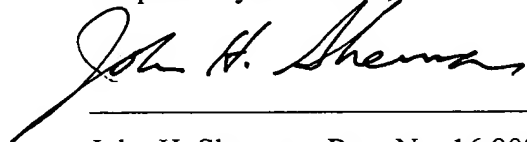
Attached Marked-Up Version

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached pages 9 and 10 have the caption "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

CONCLUSION

An earnest effort has been made to fully respond to the points in the Official Action, and a favorable action on each of the claims as now presented is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John H. Sherman", is written over a horizontal line.

John H. Sherman, Reg. No. 16,909
Attorney of Record
c/o Legal Department
Intermec Technologies Corporation
550 Second Street S.E.
Cedar Rapids, IA 52401
Telephone: 319-369-3661
Fax: 319-369-3630



Application No. 09/717,841

Attorney Docket No. 36767YBB

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification

Please change the title to read: --DATA PROCESSING ASSEMBLY INCLUDING A DETACHABLE MODULE FOR NON-CONTACT DATA READER [AND UTILIZING INTERNALLY GENERATED OPERATING POWER]--.

Page 1, lines 20-30, please cancel the entire paragraph, and substitute the following new paragraph therefor:

--The present application is a continuation of application No. 09/189,778, [DN36767YBA,] filed November 10, 1998, now U.S. patent 6,149,062 issued November 21, 2000, which is a continuation of application No. 08/438,220, [DN36767YB,] filed May 9, 1995, now U.S. patent 5,834,753 issued November 10, 1998, which: (a) is a continuation-in-part of Serial No. 08/040,313, [DN5769Z,] filed March 29, 1993, now U.S. patent 5,468,947 issued November 21, 1995; and (b) is a continuation of application Serial No. 08/215,115, [DN36767YXA,] filed March 17, 1994, now abandoned, which is a continuation-in-part of application Serial No. 07/987,574; [DN36767YXX,] filed December 8, 1992, now U.S. patent 5,313,053 [,] issued May 17, 1994, which is a continuation of application [of] Serial No. 07/674,756, [DN36767YX,] filed March 25, 1991, now abandoned, which is a continuation-in-part of PCT application PCT/US90/03282, [DN36767X,] filed June 7, 1990, which entered the U.S. national stage as application Serial No. 07/777,393 with a filing date of December 6, 1991 and an effective date of January 7, 1992, now U.S. patent 5,410,141 issued April 25, 1995, which is a continuation-in-part of both application Serial No. 07/364,902,

[DN36767,] filed June 8, 1989, now abandoned, and application Serial No. 07/364,594, [DN36808X,] filed June 7, 1989, now abandoned.--

Page 3, line 14, through Page 4, line 5, please cancel the entire paragraph, and replace the deleted paragraph with the following replacement paragraph:

--[Finally, the present application, DN6767YB,] Said application Serial No. 08/438,220 is a continuation-in-part of application Serial No. 08/040,313, [DN 5769Z,] filed March 29, 1993, [(pending)] now abandoned, which is a continuation-in-part of application Serial No. 07/451,322, [DN5769Y,] filed December 15, 1989, now U.S. Patent 5,227,614, issued July 13, 1993, which is a continuation-in-part of application [of] Serial No. 07/143,921, [DN5769X,] filed January 14, 1988, now abandoned, [, which is a continuation-in-part application of Serial No. 06/897,547, DN5769, filed August 15, 1986, now abandoned, and the said application Serial No. 08/040,313 is further a continuation-in-part of Serial No. 07/947,036, DN35740XYA, filed September 16, 1992, now Patent 5,308,966, issued May 3, 1994, which is a continuation of Serial No. 07/875,791, DN35740XY, filed April 27, 1992, now abandoned, which is a continuation-in-part of Serial No. 07/422,052, DN35740X, filed October 16, 1989, now abandoned, which is a division of Serial No. 06/894,689, DN5740, filed August 8, 1986, now U.S. Patent 4,877,949, issued October 31, 1989.] --